

IN THE COURT OF SUBORDINATE JUDGE : LALGUDI

Present : Tmt.R.Mohana, B.L.,

Subordinate Court, Lalgudi

Dated Saturday, the 01st day March 2025

I.A No.9/ 2025 in OS.No.724/2018

(CNR.No.TNTP1800190182018)

D. Naresh Kumar

.....Petitioner/2nd defendant

- Vs -

1. Parvathi

2. G.Rajendran

3. Nallaponnu

4. Chandra

...Respondents/plaintiffs

5. Panaiyadiyan

....Respondents

This petition came up before this court for final hearing on 25.02.2025 in the presence of the Learned Counsels Thiru.L.Rengarajan- advocate for the petitioner and of Thiru.K.Jayaraman- advocate for the respondents and heard both side and upon perusing the case records and having stood over for consideration before this court till this day, today this court hereby delivers the following. . .

ORDER

1. The Petitioner/2nd defendant has preferred this Petition Under Order 8 Rule 1A(3) CPC, pleaded to permit the Petitioner and to receive the documents appended along with this application.

2. The Learned Counsel for the Petitioner argued that during the stage of Petitioner/Defendant side evidence, it came to the knowledge that the certified copy of

the registered sale deed has to be filed for marking of the same and hence, the certified copy of the registered sale deed have been produced along with this application and hence it may be permitted to receive by condoning the delay in producing the same.

3. The Learned Counsel for the respondents/Plaintiffs argued that present plea raised in this application is not maintainable and the documents which are intended to be presented before the Court at the time of filing written statement, but the Petitioner is trying to bring to the Court in belated stage and there is no merits in this application and therefore, this application is deserved to be dismissed with cost.

4. Both side heard. Case Records Perused. This is suit for partition filed by the respondents/Plaintiffs for claiming share in the suit property. The Petitioner/2nd defendant has raised the plea in his written statement that he is a bonafide purchaser from the lawful owner and hence to prove the case of the Petitioner, he has produced the documents.

5. The documents have to be filed along with written statement as rightly pointed out by the respondents / Plaintiffs. But considering the affidavit averments and considering that the documents are registered, the certified copy of the documents can be received subject to the proof and relevancy of the documents and the Petitioner also has to establish the custody of the original documents. As such, this Court is of the opinion that the documents can be received.

In the result, this Petition is allowed No cost. Documents can be received subject to proof and relevancy.

Dictated to steno-typist, typed by her directly in computer, corrected and pronounced by me in open court on this the **01st** day of **March 2025**.

Sd./-Tmt.R.Mohana, B.L.,

SUB JUDGE
LALGUDI.

List of Documents

Petitioner side witness and document - Nil

Respondents side witness and document - Nil

Sd./-Tmt.R.Mohana, B.L.,

SUB JUDGE

LALGUDI.

/True copy/

Sub Court, Lalgudi

IA.No.9/2025 in OS.No.724/2018

Fair/ Draft Orders

Dated – 01.03.2025